

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



City Clerk's Office

CharterReview@miamibeachfl.gov

Telephone 305-673-7411

Facsimile 305-673-7254

## CITY CHARTER REVIEW BOARD Minutes of November 6, 2003 Meeting **Draft**

### Board Members in attendance:

Chairman Steve Zack *In at 6:30 p.m.*  
Vice-Chair Jonathan Beloff  
Board Member Ricky Arriola *In at 5:27 p.m.*  
Board Member Victor Diaz  
Board Member Larry Herrup  
Board Member Abraham Laeser  
Board Member Seymour Gelber - *Absent*

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### Board Liaison Personnel

Jean Olin, Deputy City Attorney  
Maria Martinez, Assistant City Clerk  
Liliam R. Hatfield, Secretary to City Clerk

Meeting called to order at 5:11 p.m.

Roll call. Absent: Chairman Zack and Members Arriola and Gelber.

Vice-Chair Beloff announced that Chairman Zack was delayed at the airport. He commended the CRB members for the success achieved at the recent elections regarding Charter amendments on the ballot.

### I. APPROVAL OF MINUTES OF SEPTEMBER 2, 2003

**ACTION:** Motion made by Member Laeser to accept the minutes of September 2, 2003; seconded by Member Diaz. Vote: 4-0. Absent: Chairman Zack and Board Members Arriola and Gelber.

### II. ISSUES FOR DELIBERATION:

#### 1. Zoning Reform Section 1.03 (b) Waterfront Property

Jorge Gomez, Planning Director, made a presentation.

Gary Held, First Assistant City Attorney, distributed a copy of Article II of the City Code, "Sale or Lease of Public Property."

Discussion held.

Member Diaz suggested sending item back to Commission to present to voters for inclusion in the City Charter a provision that restricts the alienability of property to all City owned properties, eliminating the requirement that it be used for public purpose and carving out an exception for alleyways. Vice-Chair Beloff suggested adding language in the Shapiro Ordinance stating: "...land, water and air rights." Discussion continued.

Motion was made by Member Diaz; seconded by Member Laeser for discussion, to send back the original recommendation deleting the reference to public purpose, adding an exception for alleyways and incidental encroachments not to exceed 500 square feet, and clarifying that city property includes, but is not limited to land, water and air rights as well. Voice vote: 3-2. Opposed: Member Arriola and Vice-Chair Beloff. Absent: Chairman Zack and Member Gelber. Discussion continued.

Motion made by Member Diaz to defer to a CRB meeting where all members are present to obtain a supermajority vote. Item deferred.

Jean Olin, Deputy City Attorney, informed the Board Members that in order to place a ballot issue on the March 9, 2004 ballot, there are restrictions as the timing when the City Commission can place such an issue on the ballot.

Maria Martinez, Assistant City Clerk, announced that a City of Miami Beach resolution calling for a March 2004 Special Election be adopted between November 10, 2003 and January 9, 2004, and there are only two regularly scheduled City Commission meetings to meet this schedule: November 25, 2003 and December 10, 2003.

## **2. Zoning Reform Section 1.03 (c) FAR**

Jorge Gomez, Planning Director, made a presentation. Discussion held.

Motion made by Member Diaz to recommend to the City Commission that they place to the voters of the City the issue of expanding the protection under Section 1.03 (c) in the City Charter to properties in the City; seconded by Member Laeser. Discussion held. **Item to be added to the City Commission Meeting Agenda of November 25, 2003.** Voice vote: 5-1. Opposed: Member Arriola. Absent: Member Gelber.

Vice-Chair Beloff announced the arrival of Chairman Zack at 6:30 p.m.

### **NEW ITEMS**

Blue Ribbon Committee on Elections – Member Diaz suggested that Chairman Zack discuss the creation of the Blue Ribbon Committee with Mayor Dermer, since the CRB deals with election reform issues. Chairman Zack stated he would meet with Mayor Dermer before the November 25<sup>th</sup> Commission Meeting to discuss this issue.

Member Herrup suggested that the proposed amendment to Article V of the City Charter regarding long-term economic impact when adopting resolutions and allocating funds be presented to the City Commission on November 25, 2003.

## **IV. ADJOURNMENT**

Meeting adjourned at 6:50 p.m.

The next meeting is to be scheduled early in January 2004. The City Clerk's Office Secretary will coordinate final schedule date.

***Handout Reference Material:*** City of Miami Beach – City Clerk's Office, Afteraction dated July 2, 2003. R9 – New Business and Commission Requests B. Zoning Reform.

REP:JO/lh

Attachment: Sign-In Sheet